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- (a) Where both recycled content products and products without recycled content are identified as equals, recycled content shall not constitute a bid preference.
 - (b) Where only one manufacturer meets recycled content goal, this shall not justify single source exception from bidding requirements. [**Mississippi Code 1972, Annotated**, Sec.31-7-13-m(viii)]
 - 2. Where materials, finishes, furnishings, and other products with low volatile organic compound emissivity are available, are cost-effective and meet project requirements, Professional shall consider specifying these products over comparable products with higher volatile organic compound emissivity.
 - (a) Where both low VOC products and higher VOC products are identified as equals, VOC emissivity shall not constitute a bid preference.
 - (b) Where only one manufacturer meets low VOC goal, this shall not justify single source exception from bidding requirements. [**Mississippi Code 1972, Annotated**, Sec.31-7-13-m(viii)]
 - 3. Where materials, finishes, furnishings, and other products containing rapidly renewable materials are available, are cost-effective and meet project requirements, Professional shall consider specifying these products over comparable products without rapidly renewable material content.
 - (a) Where both rapidly renewable content products and products without rapidly renewable content are identified as equals, rapidly renewable content shall not constitute a bid preference.
 - (b) Where only one manufacturer meets low rapidly renewable content goal, this shall not justify single source exception from bidding requirements. [**Mississippi Code 1972, Annotated**, Sec.31-7-13-m(viii)]

CONTRACTOR PREQUALIFICATION POLICY

400.12 (added June 2013)

THE POLICY

A. MISSISSIPPI LANDMARKS

Contractors for projects that involve . . . *renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History . . . may be made from the lowest and best prequalified bidder . . .*, as follows: [**Mississippi Code 1972, Annotated**, Section 31-7-13(d)(iii)]:

1. **Advertisement for Prequalifications:** Once the Construction Documents have been approved, the Bureau will prepare and issue an *Advertisement for Prequalifications* published in the legal section of a newspaper published in the county or municipality in which such agency or governing authority is located. The Advertisement will run once each week for two (2) consecutive weeks with responses being opened not less than fifteen (15) working days after the last notice is published. The Mississippi Contract Procurement Center, Inc., will also be notified. [**Mississippi Code 1972, Annotated**, Section 31-7-13-c]

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2. **Request for Prequalifications:** The Request for Prequalifications document will identify required documentation to be submitted, the criteria for scoring, and the minimum score required, and along with the Construction Documents for the Project, will be made available to all interested Contractors. Contact and deposit information will be as identified in the *Advertisement for Prequalifications*.
 3. **Response:** Any Contractor desiring to respond to the publication and become prequalified for a Project must give the Bureau written notification of interest. This response must be received at the Bureau's office on, or before, the date established in the public notice. Additional required documentation to establish the Contractor's knowledge and experience in historical restoration, preservation and renovation, other than the letter indicating project interest, will be listed in the *Request for Prequalifications* document. Such documentation shall include, but not be limited to, qualifications of the Contractor's key personnel to be assigned to the project and those of key entities proposed by the Contractor for performance of required preservation trades.
 4. **Short List:** A Preselection Committee will review all letters of interest and related data or information submitted. The Committee selects from all the submissions a *short list* for consideration. The *short list* shall consist of all responsive Contractors meeting the minimum score established in the Request for Prequalifications document. The Preselection Committee is composed of the following representatives:
 - a. Two (2) staff members of the Mississippi Department of Archives and History
 - b. Deputy Executive Director of the Department of Finance and Administration who is responsible for the Bureau of Building, Grounds and Real Property Management
 - c. Director of the Bureau of Building, Grounds and Real Property Management
 - d. Assistant Director of the Bureau of Building, Grounds and Real Property Management
 5. **Attendance:** A minimum of four (4) Committee members must be present for the Preselection process. The Bureau of Building, Grounds and Real Property staff members are responsible for eliminating all nonresponsive submissions not meeting the project qualifications prior to the Preselection Committee's meeting. This Committee's meeting may be handled by physical meeting, conference call, or telephone poll.
 6. **Notification:** After a *short list* has been established by the Preselection Committee, those selected for interviews will be notified by the Bureau.
 7. **Selection:** The Prequalification Committee may choose to prequalify Contractors directly from the *short list* without benefit of interviews, or they may hold separate interviews with each Contractor on the *short list*. The Prequalification Committee is composed of the following representatives:
 - a. Two (2) staff members of the Mississippi Department of Archives and History
 - b. Deputy Executive Director of the Department of Finance and Administration who is responsible for the Bureau of Building, Grounds and Real Property Management
 - c. Director of the Bureau of Building, Grounds and Real Property Management
 - d. Assistant Director of the Bureau of Building, Grounds and Real Property Management
 8. **Scoring:** Following interviews, if held, Contractors shall be re-scored. No less than two (2) and no more than five (5) Contractors receiving the highest scores shall be prequalified for bidding of the project.
 9. **Interviews:** Interviews, if held, are open to other representatives of the Institution, Agency, or Department for which the project is being administered; however, they will not participate in the scoring.
 10. **Delegation of Scoring:** Any scoring member of the Prequalification Committee previously noted in 7a, 7b, or 7c may designate another party to submit their scores. This Designee may be a

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- representative of a local or non-traditional public entity or a party having a special expertise regarding the scope of the project. The Prequalification Committee Member will request that the records of the proceedings state that their scoring has been designated and indicate the Designee.
- 11. Omitting Interviews:** If the formal interview process is omitted, one or more of the following should take place prior to selection:
- a. Each *short list* Contractor will be interviewed over the phone
 - b. Each scoring member of the Prequalification Committee will be consulted in person, or by phone, to obtain their scores
 - c. The Bureau Director may waive interviews based on the prior performance of the Contractors under consideration on Bureau projects
- 12. Motion to Reconsider:** The Director of the Bureau of Building may, at his discretion, rule that the Prequalification Committee's decision will be held on a *Motion to Reconsider* and reconvene the Prequalification Committee normally within five (5) working days after the Prequalification Committee's decision. At this reconvened meeting, the Prequalification Committee may allow the first vote to stand, or the Committee may elect to re-score.
- 13. Advertisement for Bids:** Once Contractors have been prequalified in accordance with this policy, the project will be advertised for bids, from said Prequalified Contractors, in accordance with Code 31-7-13(d)(iii) no earlier than fifteen (15) working days after bidders have been prequalified; and, in accordance with Section 600.37 and Code 31-7-13(c).

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